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Signature

Name: Theodore J. Leitereg

Date

10/24/05

Attorney Docket No. 7456

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yi Feng Zheng, *et al.*

Serial No. 10/806,327

Filed March 22, 2004

Art Unit: 1641

Examiner: Shafiqul Haq

Title: Assays for Amphetamine and Methamphetamine

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-entitled patent application are the following:

1. Statement of Substance of Interview (2 pages, 10-page attachment)
2. Transmittal Letter (in duplicate)

Address for Correspondence

Please continue to address all correspondence for this application to Susan Yarc, Behring Diagnostics GmbH, c/o Dade Behring Inc., 1717 Deerfield Road, Deerfield, Illinois 60015-0778, whose telephone number is (847) 267-5364.

Respectfully submitted,

Theodore J. Leitereg

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Attorney for Applicants

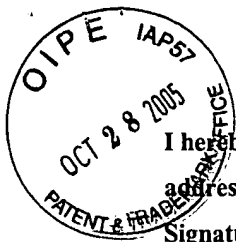
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Title: ASSAYS FOR AMPHETAMINE AND METHAMPHETAMINE

Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

Statement of Substance of Interview

This is responsive to the Interview Summary Form that accompanied the Notice of Allowance dated October 4, 2005, from the U.S. Patent and Trademark Office in the above-identified patent application.

In the Interview Summary Form Applicant was given one month from the date of the Interview Summary Form to file a statement of the substance of the telephonic interview between the undersigned and the Examiner on September 8, 2005, and subsequent follow-up telephonic discussions on September 12 and 13, 2005, regarding the above-identified patent application.

In the telephonic interview, the Examiner indicated that the product claims were allowable and that method claims (28-47), which formed Group II of the restriction requirement and were non-elected, previously withdrawn and canceled, could be rejoined with the allowable product claims if the method claims depend from or otherwise include all

the limitations of the patentable product claims and if the method claims satisfy the requirements of 35 U.S.C. 112.

Pursuant to the Examiner's comments, on September 12, 2005, Applicant submitted, by facsimile for the purpose of discussion, proposed amendments to Claims 28-47 to address the 35 U.S.C. 112 issues raised by the Examiner (see Exhibit 1). Applicant further indicated that, if the proposed amendments were acceptable, new claims would be submitted based on Claims 28-47 amended as proposed.

On September 13, 2005, the Examiner informed Applicant that the proposed amendments would overcome the 35 U.S.C. 112 issues and requested that Applicant file an amendment by facsimile providing new claims based on Claims 28-47 amended as proposed. On September 13, 2005, such an amendment was sent to the U.S. Patent and Trademark Office by facsimile.

The Examiner and the undersigned also discussed an issue raised by the Examiner with regard to Claim 5. The Examiner contended that Claim 5 was broader than Claim 1 with respect to the definition of Y. The undersigned indicated that Claim 5 was not dependent from Claim 1 and, therefore, Claim 1 did not limit the definition of Y in Claim 5. The Examiner agreed.

The undersigned wishes to thank the Examiner formally for contacting the undersigned for the purpose of the aforementioned interview.

Respectfully submitted,


Theodore J. Leitereg
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Enclosure: Exhibit 1